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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Haruhiko Ikeda

N&C-101-02

1356

7590

10/27/2006

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EXAMINER

PADMANABHAN, KAVITA

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 10/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,867

Applicant(s)

IKEDA ET AL.

Examiner

Kavita Padmanabhan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/941755.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/12/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Claims 10-20 are pending.
2. Claims 10-20 have been amended.
3. Claims 10-20 are rejected.

Terminal Disclaimer

4. The terminal disclaimer filed on 8/16/06 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US 6,816,861 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claim 19** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19 also recites the phrase “when inputted an update ... said user terminal.” This phrase is unclear. It is assumed for the purposes of examination that the applicant intends to claim that when an update request is input to the apparatus, the result of determining whether or not the request is accepted is outputted to said user terminal.

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The examiner will apply prior art to these claims as best understood, giving the claim language its broadest reasonable interpretation, in light of the above rejections.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 10, 12, 14, 16, 18, and 20** are rejected under 35 U.S.C. 102(e) as being anticipated by **Shimizu et al.** (US 6,289,254, hereinafter “Shimizu”), cited by applicant.

In regards to **claim 10**, **Shimizu** teaches a computer-aided design (CAD) information management system comprising:

- a user terminal connected (**Shimizu; Fig. 4, reference character 1300**), via a communication network (**Shimizu; Fig. 4, reference character 1307**), to a plurality of databases which are managed by a plurality of different manufacturers (**Shimizu; Fig. 4, reference character 1308**), for receiving and transmitting information to/from said plurality of databases for storing at least one of CAD drawing information and specification information on a specification of a component forming a CAD drawing (**Shimizu; Abstract, Fig. 26**), corresponding to stored-source address information

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- (Shimizu; Fig. 26, reference symbol) based on input information which is inputted by user (Shimizu; Fig. 3; col. 3, lines 51 – col. 4, line 5),
- wherein when CAD drawing information or specification information of a component forming a CAD drawing, corresponding to stored-destination address information (Shimizu; Fig. 26, supply number), is inputted by user as a search condition (Shimizu; col. 10, lines 22-29), said user terminal searches for the stored-source address information (Shimizu; Fig. 26, reference symbol), corresponding to said stored-destination address information in said a plurality of databases (Shimizu; Fig. 4, reference character 1308) which are managed by a plurality of different manufacturers, selects information corresponding to the stored-source address information (Shimizu; Fig. 26, reference symbol) from any of said plurality of databases based on the search result (Shimizu; Fig. 10, Fig. 14, Fig. 23; col. 15, lines 27-35), and outputs the selected information (Shimizu; Fig. 17, col. 16, lines 4-7).

In regards to **claim 12**, Shimizu teaches a computer-aided design (CAD) information management system comprising:

- a server connected, via a communication network (Shimizu; Fig. 4, reference character 1307), to a plurality of databases (Shimizu; Fig. 4, reference character 1308; col. 6, lines 36-37) which are managed by a plurality of different manufacturers, for receiving and transmitting information to/from said plurality of databases for storing at least one of CAD drawing information and specification information on a specification of a component forming a CAD drawing (Shimizu; Abstract, Fig. 26), corresponding to

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- stored-source address information (**Shimizu; Fig. 26, reference symbol**) based on input information which is inputted by user (**Shimizu; Fig. 3; col. 3, lines 51 – col. 4, line 5**); and
- a user terminal (**Shimizu; Fig. 4, reference character 1300**) connected to said server via an information transfer path (**Shimizu; Fig. 4, reference character 1307**), for receiving and transmitting information to/from said server based on input information which is inputted by user (**Shimizu; col. 6, lines 15-24**),
 - wherein when CAD drawing information or specification information of a component forming a CAD drawing, corresponding to stored-destination address information (**Shimizu; Fig. 26, supply number**), is inputted by user as a search condition (**Shimizu; col. 10, lines 22-29**), said user terminal (**Shimizu; Fig. 4, reference character 1300**) requests a search in accordance with said inputted information to said server, and displays the search result of said server (**Shimizu; col. 14, lines 22-35**), said server extracts the stored-destination address information (**Shimizu; Fig. 26, supply number**) corresponding to the information in response to the search request from said user terminal (**Shimizu; col. 11, lines 6-17**), searches for the stored-source address information (**Shimizu; Fig. 26, reference symbol**), corresponding to said extracted stored-destination address information, in said plurality of databases which are managed by a plurality of different manufacturers based on the stored-destination address information, selects information corresponding to the stored-source address information from any of said plurality of databases based on the search result (**Shimizu; Fig. 14, Fig. 17, and Fig. 23**;

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col. 15, lines 27-35), and transfers the selected information to said user terminal (Shimizu; col. 8, lines 15-22).

In regards to **claim 14**, **Shimizu** teaches a system according to Claim 10, wherein at least one of the CAD drawing information and the specification information is stored in a distributed manner in said plurality of databases (**Shimizu; col. 7, lines 24-31**).

Claim 16 is rejected with the same rationale given for claim 14.

Claim 18 is rejected with the same rationale given for claim 10.

Claim 20 is rejected with the same rationale given for claim 12.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. **Claims 11, 13, 15, 17, and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shimizu in view of Sano** (US 6,377,964), cited by applicant.

In regards to **claim 11**, **Shimizu** teaches a computer-aided design (CAD) information management system comprising:

- a user terminal connected (**Shimizu; Fig. 4, reference character 1300**), via a communication network (**Shimizu; Fig. 4, reference character 1307**), to a plurality of databases which are managed by a plurality of different manufacturers (**Shimizu; Fig. 4, reference character 1308**), for receiving and transmitting information to/from said plurality of databases for storing at least one of CAD drawing information and specification information on a specification of a component forming a CAD drawing (**Shimizu; Abstract, Fig. 26**), corresponding to stored-source address information (**Shimizu; Fig. 26, reference symbol**) based on input information which is inputted by user (**Shimizu; Fig. 3; col. 3, lines 51 – col. 4, line 5**),
- wherein when CAD drawing information or specification information of a component forming a CAD drawing, corresponding to stored-destination address information (**Shimizu; Fig. 26, supply number**), is inputted by user as a search condition (**Shimizu; col. 10, lines 22-29**), said user terminal searches for the stored-source address information (**Shimizu; Fig. 26, reference symbol**), corresponding to said stored-destination address information in said a plurality of databases (**Shimizu; Fig. 4,**

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reference character 1308) which are managed by a plurality of different manufacturers, selects information corresponding to the stored-source address information (**Shimizu; Fig. 26, reference symbol**) from any of said plurality of databases based on the search result (**Shimizu; Fig. 10, Fig. 14, Fig. 23; col. 15, lines 27-35**), and outputs the selected information, displays the selected information, and also displays information of the selected information (**Shimizu; Fig. 17, col. 16, lines 4-7**).

Shimizu does not expressly teach update information of the selected information.

Sano teaches update history information (**Sano; col. 7, lines 8-27; col. 9, lines 48-63**).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to implement the system of Shimizu including history information, as taught by Sano, thereby providing flexibility to CAD designers by allowing them to look at previous operations and manipulate the design (**Sano; col. 2, lines 16-30**).

In regards to **claim 13**, **Shimizu and Sano** teach a system according to Claim 11, further comprising:

- a information management means for managing at least one of the CAD drawing information and the specification information (**Shimizu; Fig. 23, col. 3, lines 25-33**), connected to said plurality of databases (**Shimizu; Fig. 4, reference character 1308, col. 6, lines 33-37**) which are managed by a plurality of different manufacturers,
- said information management means outputs a result determining whether or not the update request from said terminal is accepted to said terminal (**Shimizu; col. 8, lines 16-23; col. 12, lines 31-36**), and

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- wherein when receiving the result of determining that the update request is accepted from said information management means, said terminal updates at least one of the CAD drawing information and the specification information in said plurality of databases (**Shimizu; col. 8, lines 20-24**), and adds the update history information on the update to the update information (**Sano; col. 5, lines 47-56; col. 6, lines 33-35**).

In regards to **claim 15**, **Shimizu and Sano** teach a system according to Claim 11, wherein at least one of the CAD drawing information and the specification information is stored in a distributed manner in said plurality of databases (**Shimizu; col. 7, lines 24-31**).

Claim 17 is rejected with the same rationale given for claim 15.

In regards to **claim 19**, **Shimizu** teaches a method according to Claim 18, further comprising the steps of:

- by an information management apparatus which is connected communication network, managing CAD drawing information and said specification information stored by a plurality of databases, and when inputted an update request from said user terminal, outputting a result of determining whether or not the update request from said user terminal is accepted to said user terminal (**Shimizu; col. 8, lines 20-22; col. 15, line 66 – col. 16, line 6**),
- by said user terminal (**Shimizu; Fig. 4, reference character 1300**), when receiving the result of determining that the update request from said information management

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apparatus is accepted (**Shimizu; col. 12, lines 37-43**), updating at least one of the CAD drawing information and the specification information in said plurality of databases (**Shimizu; col. 8, lines 17-22**).

Shimizu does not expressly teach adding update history information on update to the update information.

Sano teaches history information and adding update history information on update to the update information (**Sano; col. 5, lines 47-56; col. 6, lines 33-35**).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to implement the method of Shimizu including adding the update history information, as taught by Sano, thereby providing flexibility to CAD designers by allowing them to look at previous operations and manipulate the design (**Sano; col. 2, lines 16-30**).

Response to Amendment

12. Applicant's amendments filed 8/16/06 with respect to the claim objections have been fully considered. The objections to the claims have been withdrawn accordingly.

13. Applicant's amendments filed 8/16/06 with respect to the 35 U.S.C. 112, 2nd paragraph rejections have been fully considered. However, claim 19 is still rejected under 35 U.S.C. 112, 2nd paragraph for reasons stated above.

Response to Arguments

14. Applicant's arguments filed 8/16/06 with respect to the prior art rejections of the claims have been fully considered but they are not persuasive.

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Applicants argues that the databases of Shimizu do not correspond to the databases recited in the pending claims, in that the databases of Shimizu are located at a user's CAD system and are managed and maintained by the user. The applicant therefore argues that Shimizu does not disclose a CAD information management system in which manufacturers provide and manage the plurality of databases which can be accessed by the user. The examiner respectfully disagrees with the applicant's arguments. The examiner asserts that the claims do not require that each database be managed by a separate manufacturer, or dedicated to storing data only from a single manufacturer, but rather only that there be a plurality of databases, which Shimizu clearly teaches (Shimizu; Fig. 4, reference character 1308) and that the databases be managed by a plurality of manufacturers, which Shimizu also teaches (Shimizu; col. 4, lines 32-37). To further clarify, the databases of Shimizu are managed by a plurality of manufacturers in that the information stored therein is controlled by information that is dictated by manufacturers' parts and supplies. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore, the prior art teaches the limitations of the claims, as presently recited.

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kavita Padmanabhan** whose telephone number is **571-272-8352**. The examiner can normally be reached on Monday-Friday, 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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October 19, 2006

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Primary Examiner
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